

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK CITY DISTRICT COUNCIL
OF CARPENTERS PENSION FUND, NEW
YORK CITY DISTRICT COUNCIL OF
CARPENTERS WELFARE FUND, NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS
VACATION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS
ANNUITY FUND, NEW YORK CITY DISTRICT
COUNCIL OF CARPENTERS APPRENTICESHIP,
JOURNEYMAN RETRAINING, EDUCATIONAL
AND INDUSTRY FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS CHARITY
FUND, and THE NEW YORK CITY AND VICINITY
CARPENTERS LABOR MANAGEMENT
COOPERATION FUND, by MICHAEL J. FORDE and
PAUL O'BRIEN, as TRUSTEES,

07 CV 9314 (LAK)
ECF CASE

**AFFIDAVIT OF
SERVICES**

Plaintiffs,

-against-

D.J.W. COMMERCIAL FLOORING
INSTALLATION, LLC,

Defendant.

-----X
STATE OF NEW YORK)
 :SS.:
COUNTY OF NEW YORK)

ANDREW GRABOIS, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of O'Dwyer & Bernstien, LLP, attorneys for plaintiffs herein and submit this affidavit in support of the instant application for default judgment and order.

2. On October 17, 2007, Ian Henderson, a paralegal in this office, drafted a complaint, cover sheet and other required documents and prepared them for filing with the Clerk of the Court. He spent 1.0 hours on this matter at a billing rate of \$150.00 per hour, for a total of \$150.00 in attorneys' fees.

3. On October 17, 2007, your deponent reviewed and finalized the aforementioned documents. I spent 0.5 hours on this matter at a billing rate of \$320.00 per hour for a total of \$160.00 in attorneys' fees.

4. On October 17, 2007, Rich Gage, a paralegal in this office, prepared and filed the aforementioned documents with the Clerk of the Court. He spent 0.5 hours on this matter at a billing rate of \$115.00 per hour, for a total of \$57.50 in attorneys' fees.

5. On October 17, 2007, Mr. Gage prepared and filed the aforementioned documents on the Electronic Case Filing system. He spent 0.5 hours on this matter at a billing rate of \$115.00 per hour for a total of \$57.50 in attorneys' fees.

6. On October 23, 2007, Mr. Gage prepared and mailed the aforementioned documents for service of process through the Department of State. He spent 0.5 hours on this matter at a billing rate of \$115.00 per hour for a total of \$57.50 in attorneys' fees.

7. On October 23, 2007, Mr. Gage prepared and mailed the aforementioned documents for service of process by registered mail. He spent 1.0 hours on this matter at a billing rate of \$115.00 per hour for a total of \$115.00 in attorneys' fees.

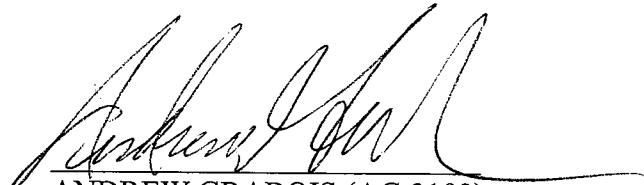
8. On November 9, 2007, Mr. Henderson prepared and filed the affidavits of service by registered mail and through the Department of State with the Court and on the ECF system. He spent 1.0 hours on this matter at a billing rate of \$150.00 per hour for a total of \$150.00 in attorneys' fees.

9. On November 30, 2007 and December 5, 2007, Mr. Gage and Mr. Henderson drafted the required default documents, including a proposed default judgment and order and affidavit of services rendered. Mr. Gage spent 1.0 hours on this matter at a billing rate of \$115.00 per hour for a total of \$115.00 in attorneys' fees. Mr. Henderson spent 3.0 hours on this matter at a billing rate of \$150.00 per hour for a total of \$450.00 in attorneys' fees.

10. On December 5, 2007, your deponent reviewed and finalized the aforementioned default documents over 0.5 hours, at a billing rate of \$320.00 per hour for a total of \$160.00 in attorneys' fees.

11. The cost of the process server to effectuate service of process was \$74.00.

WHEREFORE, deponent respectfully requests allowance of attorneys' fees in the sum of \$1,357.50 and costs arising out of this action in the amount of \$74.00 for a total of \$1,431.50.



ANDREW GRABOIS (AG 3192)

Sworn to before me this
5th day of December, 2007



NOTARY PUBLIC

ROSA FALLON
Commissioner of Deeds
City of New York - No. 2-12032
Qualified in Kings County
Commission Expires Dec. 01, 2007